IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

Crl.Rev.Pet.No. 4464 of 2006()

CRA.498/2004 of II ADDL. SESSIONS COURT, PALAKKAD
CC.25/2003 of JUDL.MAGISTRATE OF FIRST CLASS COURT, CHITTUR

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REVN. PETITIONER: APPELLANT/ACCUSED

MURALIDHARAN, S/O. PONNU NAIR,
'PONNUS', KUNNACHI, ELAPULLY, PALAKKAD.

BY ADV. SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P

RESPONDENTS: COMPLAINANT/NON-PARTY

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1. VENKIDASUBRAMANIAN, S/O. KYLASA IYER,
KAILASATHIL HOUSE, KALLAKKODE ROAD,
NALLEPULLY, CHITTUR, PALAKKAD.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.LEGY ABRAHAM
PUBLIC PROSECUTOR SRI.C.M.KAMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.HEMA, J.

CRL.R.P.NO.4464 of 2006

Dated this the 14th day of December, 2006

O R D E R

Revision petitioner is the accused in C.C.No.25 of 2003 on the file of the Judicial First Class Magistrate's Court, Chittur. He was convicted and sentenced under Section 138 of the Negotiable Instruments Act. In appeal, the learned Sessions Judge confirmed the conviction and sentence. The order to pay compensation of Rs.75,000/- was also confirmed. This revision is filed against the said conviction, sentence and order.

At the time of hearing, learned counsel for both sides submitted that a petition as Crl.M.Appl.12926 of 2006 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties and the amount is also paid by the petitioner to the satisfaction of the first respondent. On hearing both sides and on going through the averments in the petition , I am satisfied that this is a fit case to grant permissin to compound the offence.

In the result, the revision petitioner is acquitted of offence under Section 138 of the Negotiable Instruments Act as offence is compounded. He is set at liberty forthwith.

Crl.M.Appl.12926 of 2006 and the Crl.Revision petition are allowed.

K.HEMA, JUDGE

vgs.